

365.990 Penalties.

- (1) Any person who violates any of the provisions of KRS 365.015 shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days nor more than thirty (30) days, or both, and each day that the violation continues shall constitute a separate offense.
- (2) Any person who violates any of the provisions of KRS 365.020 to 365.050 shall, for each offense, be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or imprisoned for not more than six (6) months, or both. Any person who, as agent of any person or as director, officer or agent of any corporation assists or aids in a violation of any of such provisions by the person or corporation for which he is director, officer or agent, shall be responsible therefor equally with such person or corporation, and in a prosecution brought by the local Commonwealth attorney against him under this subsection it shall be sufficient to allege and prove the unlawful intent of the person or corporation for whom he acts.
- (3) Any person who violates any of the provisions of KRS 365.100 shall be fined not less than two hundred dollars (\$200) for each offense.
- (4) Any person who violates any of the provisions of KRS 365.110 shall be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each offense.
- (5) Any agent or employee of a corporation or any other person who violates any of the provisions of subsection (2) of KRS 365.220 shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense, and each day's continuance of the violation shall constitute a separate offense.
- (6) A conviction of a corporation of violating any of the provisions of KRS 365.210 or 365.220 shall operate to forfeit its charter or right to do business in this state. Proceedings may be instituted by the Commonwealth's attorney in any district in this state to forfeit the charter or right to do business in this state of any corporation violating any of the provisions of KRS 365.210 or 365.220, and to subject the corporation charged, if found guilty, to the penalty imposed in subsection (7) of this section.
- (7) Any company that violates any of the provisions of KRS 365.230 shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), and if it is a corporation it shall, upon conviction, forfeit its charter.
- (8) Failure to maintain the register or to make the report to the sheriff as required by KRS 365.250 shall be a misdemeanor punishable by a fine of not more than one hundred dollars (\$100) or by imprisonment for not more than thirty (30) days, or both, and shall be prima facie evidence that such dealer, collector or vendor received the used copper wire or cable not registered or reported, knowing it to be stolen in violation of KRS 514.110.
- (9) Any person or entity that transacts a transient business as defined in KRS 365.650 without first having obtained a permit in accordance with the provisions of KRS 365.660, 365.665, 365.680 or 365.685 or who knowingly advertises, offers for sale, or sells any goods, wares or merchandise in violation of the provisions of KRS

365.650 to 365.695, is guilty of a misdemeanor and shall, upon conviction, be fined not more than five hundred dollars (\$500) or shall be imprisoned in the county jail for not more than six (6) months, or both.

Effective: July 15, 1986

History: Amended 1986 Ky. Acts ch. 70, sec. 11, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 188, sec. 283, effective July 15, 1980; and ch. 293, sec. 3, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 27, sec. 18. -- Amended 1968 Ky. Acts ch. 152, sec. 154. -- Amended 1966 Ky. Acts ch. 230, sec. 15. -- Amended 1956 Ky. Acts ch. 131, sec. 2, effective May 18, 1956. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 199b-5, 524-2, 883a-2, 883a-3, 883a-4, 1279a-2, 1280, 1280a-2, 1283a-5, 4748h-2, 4748h-11, 4753, 4754, 4755.